

REQUEST FOR PROPOSALS

***SUPERIOR COURT OF CALIFORNIA
COUNTY OF IMPERIAL***

REGARDING:

Tape Library with Back-up R1617-02

PROPOSALS DUE:

Wednesday, November 9, 2016 NO LATER THAN *4:00* P.M. PACIFIC
TIME

1.0 BACKGROUND INFORMATION

The Superior Court of California, County of Imperial (“the Court”) currently counts with 150 computer users. The Court is seeking simplified, expandable tape encrypted off-site data storage.

See Attachment 7 for detailed description of goods and services.

All information for this RFP is posted at www.imperial.courts.ca.gov (on home page, scroll down to “Quick Links” header and select “RFP’s” link). Any questions should be sent to elsa.rodriquez@imperial.courts.ca.gov

2.0 TIMELINE FOR THIS RFP

The Court has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the Court.

EVENT	DATE
RFP issued	<i>October 20, 2016</i>
Deadline for questions	<i>Wednesday, November 2, 2016 4:00 p.m. PST</i>
Latest date and time proposal may be submitted	<i>Wednesday, November 9, 2016 4:00 p.m. PST</i>
Public opening of cost portion of proposals at 1625 W. Main St, 2 nd floor lobby, El Centro, CA 92243	<i>Thursday, November 10, 2016 3:45 p.m. PST</i>
Contract start date (<i>estimate only</i>)	<i>January 1, 2017</i>
Contract end date (<i>estimate only</i>)	<i>December 31, 2017 plus four 1-year options to extend</i>

3.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation.
Attachment 2: Court Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Court Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. Note: A material exception to a Minimum Term will render a proposal non-responsive.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachment 6: Payee Data Record Form	This form contains information the Court requires in order to process payments and must be submitted with the proposal.
Attachment 7: Description of Goods and Services	Detail of goods and services requested.
Attachment 8: Cost Proposal	Complete and submit in a sealed envelope, separate from non-cost proposal.

4.0 PAYMENT INFORMATION

See attachment 2, Appendix B

5.0 SUBMISSIONS OF PROPOSALS

5.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.

- 5.2 The Proposer must submit its proposal in two parts, the non-cost portion and the cost portion.
- a. The Proposer must submit **one (1) original and two (2) copies** of the non-cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original non-cost portion of the proposal (and the copies thereof) must be submitted to the Court in a single sealed envelope, separate from the cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.
 - b. The Proposer must submit **one (1) original and two (2) copies** of the cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original cost portion of the proposal (and the copies thereof) must be submitted to the Court in a single sealed envelope, separate from the non-cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- 5.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Elsa Rodriguez – RFP R1617-02
Mailroom: DO NOT OPEN
Superior Court of California, County of Imperial
1625 W. Main Street, Ste. 200
El Centro, CA 92243

- 5.4 Late proposals will not be accepted.
- 5.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

6.0 PROPOSAL CONTENTS

- 6.1 **Non-Cost Portion.** The following information must be included in the non-cost portion of the proposal. A proposal lacking any of the following information may be deemed non-responsive.
- a. **Contact:** Name, title, address, telephone number and email address of the individual who will act as the Proposer’s designated representative for purposes of this RFP.
 - b. **Specs:** Model number(s), specifications, or other description of the goods the Proposer proposes to supply to the Court, including warranty information.

- c. **References:** Names, addresses, telephone numbers and email addresses of a minimum of three (3) clients for whom the Proposer has provided similar goods and services. The Court may check references listed by the Proposer. Please note greater weight will be given to government references and to references for similar work. Prior work performed for the Court will be included as a Reference during evaluation.
 - d. **Seller's Cert:** The Proposer must submit with its proposal, for itself and each of its affiliates that make sales for delivery into California, a copy of either (i) a California seller's permit issued under Revenue and Taxation Code section 6066 et seq. or (ii) a certificate of registration issued under Revenue and Taxation Code section 6226.
 - e. **Attachment 3 Acceptance of Terms & Conditions:** the Proposer must check the appropriate box and sign the form. Refer to instructions on attachment.
Note: A material exception to a Minimum Term will render a proposal non-responsive.
 - f. **Attachment 4 General Certifications:** The Proposer must complete and submit with proposal.
 - g. **Attachment 5 Small Business Declaration:** Complete only if proposer wishes to claim the small business preference associated with this solicitation.
 - h. **Attachment 6 Payee Data Record:** The Proposer must complete and submit with proposal. Note that if the Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
- 6.2 **Cost Portion.** Complete and submit Attachment 8.

NOTE: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code.

6.3 **Requirements upon award**

- a. **Insurance:** Proof of insurance must be provided upon award. See Attachment 2, Agreement, Appendix C, General Provisions, Section 3
- b. **Good standing:** If Contractor is (1) a California corporation, limited liability company ("LLC"), limited partnership ("LP"), or limited liability partnership ("LLP"), or (2) If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California

7.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the Court reserves the right to negotiate extensions to this period.

8.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0. The Court will evaluate the proposals on a 100 point scale using the criteria set forth in the table below. Award, if made, will be to the highest-scored proposal. If a contract will be awarded, the Court will post intent to award notice at www.imperial.courts.ca.gov

CRITERION	MAXIMUM NUMBER OF POINTS
<i>References</i>	<i>20</i>
<i>Compliance with Proposal Requirements and Acceptance of the Terms and Conditions</i>	<i>30</i>
<i>Cost</i>	<i>50</i>

9.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE PURSUANT TO APPLICABLE PROVISIONS OF THE CALIFORNIA PUBLIC CONTRACT CODE AND RULE 10.500 OF THE CALIFORNIA RULES OF COURT. The Court will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. All other information in proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the Court’s right to disclose information in the proposal, or (b) requiring the Court to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

10.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

The court participates in a disabled veteran business enterprise participation goal. Details are posted at www.imperial.courts.ca.gov

11.0 SMALL BUSINESS PREFERENCE

Small business participation is not mandatory. Failure to qualify for the small business preference will not render a proposal non-responsive.

Eligibility for and application of the small business preference is governed by the Court's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. The Proposer will receive a small business preference if, in the Court's sole determination, the Proposer has met all applicable requirements. If the Proposer receives the small business preference, the score assigned to its proposal will be increased by an amount equal to 5% of the points assigned to the highest scored proposal. If a DVBE incentive is also offered in connection with this solicitation, additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

To receive the small business preference, the Proposer must be either (i) a Department of General Services ("DGS") certified small business or microbusiness performing a commercially useful function, or (ii) a DGS-certified small business nonprofit veteran service agency.

If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration (Attachment 5). The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.

Failure to complete and submit the Small Business Declaration as required will result in the Proposer not receiving the small business preference. In addition, the Court may request additional written clarifying information. Failure to provide this information as requested will result in the Proposer not receiving the small business preference.

If the Proposer receives the small business preference, (i) the Proposer will be required to complete a post-contract report; and (ii) failure to meet the small business commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRESENTATION IN CONNECTION WITH THE SMALL BUSINESS PREFERENCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.

12.0 PROTESTS

Any protests will be handled in accordance with the Court's protest policy posted at www.imperial.courts.ca.gov. Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest.